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Letter dated 14 March 2007 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234) (see annex). The report contains an account of the Committee's activities from 1 January to 31 December 2006, under the chairmanship of Nassir Abdulaziz Al-Nasser (Qatar).

(*Signed*) Dumisani Shadrack **Kumalo**
Chairman
Security Council Committee established pursuant
to resolution 751 (1992) concerning Somalia

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Annex

Annual report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia covers the period from 1 January to 31 December 2006.

2. For 2006, the bureau consisted of Nasser Abdulaziz Al-Nasser (Qatar) as Chairman, with the delegations of Ghana and Slovakia providing the Vice-Chairmen.

3. During the reporting period, the Committee held seven informal consultations.

II. Background

4. By resolution 733 (1992), the Security Council imposed a general and complete arms embargo on Somalia, and by resolution 751 (1992) the Council established a Committee to oversee the implementation of the embargo. Subsequently, in resolutions 1356 (2001) and 1425 (2002), respectively, the Council outlined certain exemptions to the embargo and further elaborated the scope of the measures.

5. During the reporting period, by resolutions 1676 (2006) of 10 May 2006 and 1724 (2006) of 29 November 2006, the Security Council requested the Secretary-General, in consultation with the Committee, to re-establish, for a period of six months, the Monitoring Group on Somalia referred to in paragraph 3 of resolution 1558 (2004). The re-established Monitoring Group was mandated, inter alia, to continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005) (i.e., investigate the implementation, and violations, of the arms embargo and make recommendations); to continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generated revenues used to commit arms embargo violations; to continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations; to continue refining and updating information on the draft list of those individuals and entities who violated the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and present such information to the Committee as and when the Committee deemed appropriate; to continue making recommendations based on its investigations, and on the previous reports of the Panel of Experts and the Monitoring Group; to work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo; and to assist in identifying areas where the capacities of States in the region could be strengthened to facilitate the implementation of the arms embargo.

6. In a presidential statement of 15 March 2006 (S/PRST/2006/11), the Security Council welcomed the African Union (AU) summit decision of 25 January 2006 on Somalia, including the possible deployment of an Intergovernmental Authority on

Development (IGAD) Peace Support Mission to Somalia, to be followed by an AU Peace Support Mission. In the event that a national security and stabilization plan for Somalia included the need for a peace support mission, the Council reiterated that it expected AU and IGAD to work out a detailed mission plan in close coordination with and with the broad consensus of the transitional federal institutions and consistent with the national security and stabilization plan. The Council stated its readiness to consider an exemption to the arms embargo on the basis of such a mission plan.

7. In the same statement, the Council took note of the Committee's previous annual report (S/2005/813) and the midterm briefing of the Monitoring Group of 14 February 2006. The Council condemned the increased inflow of weapons into Somalia and the continuous violations of the arms embargo, further reminded all States of their obligations to comply fully with the measures imposed by resolution 733 (1992), and urged them to take all necessary steps to hold violators accountable. Continued violations of those measures, the Council stated, prevented the establishment of a stable and secure environment and undermined the peace process for Somalia.

8. In a presidential statement of 13 July 2006 (S/PRST/2006/31), the Security Council welcomed the meeting of the Heads of State and Government of the African Union, held in Banjul on 5 July 2006, and noted the African Union's request for the Security Council to consider an exemption to the arms embargo, to pave the way for a possible deployment of a peace support mission and to help to facilitate the re-establishment of the national security forces of Somalia. The Council stated its willingness, if it judged that a peace support mission would contribute to peace and stability in Somalia, to consider the above request for a peace support mission, on the basis of a detailed mission plan from IGAD or AU.

9. In the same statement, the Council expressed its readiness to consider a limited modification of the arms embargo to enable the transitional federal institutions, on the basis of a sustainable peace process, to develop Somalia's security sector and national institutions capable of responding to security issues. The Council emphasized, however, the continued contribution made to Somalia's peace and security by the arms embargo, and called on all to comply with it. The Council also reiterated its intention to consider urgently ways to strengthen the effectiveness of the arms embargo.

10. In resolution 1676 (2006), the Security Council requested the Committee to consider, when appropriate, a visit to Somalia and/or the region by its Chairman and those he might designate, as approved by the Committee, to demonstrate the Council's determination to give full effect to the arms embargo.

11. By resolution 1725 (2006) of 6 December 2006, the Security Council authorized IGAD and States members of the African Union to establish a protection and training mission in Somalia, and decided that the arms embargo would not apply to supplies of weapons and military equipment and technical training and assistance intended solely for the support of or use by that force. In paragraph 8 of the resolution, the Council demanded that all Member States, in particular those of the region, fully comply with the arms embargo, and reiterated its intention to consider urgently ways to strengthen its effectiveness, including through targeted measures in support of the embargo.

III. Summary of the Committee's activities

12. At informal consultations on 14 February 2006, the Committee heard a midterm briefing by the Monitoring Group pursuant to paragraph 3 (h) of Security Council resolution 1630 (2005). On 10 March, the Chairman briefed the Security Council on the Committee's discussion.

13. At informal consultations on 2 May 2006, the Committee heard a presentation by the Monitoring Group on its report pursuant to paragraph 3 (i) of resolution 1630 (2005) (S/2006/229). On 4 May, the Committee continued its consideration and discussion of the report. On 10 May, the Chairman briefed the Security Council on the Committee's discussion.

14. At informal consultations on 4 August 2006, the Committee considered the recommendations contained in the above-mentioned report. The members of the Committee also held an exchange of views in the context of the presidential statement of 13 July 2006 (S/PRST/2006/31), which touched on the arms embargo, with the aim of assisting the Council in its future consideration of the matter.

15. At informal consultations on 6 September 2006, the Committee heard a midterm briefing by the Monitoring Group pursuant to paragraph 3 (h) of Security Council resolution 1676 (2006).

16. At informal consultations on 17 November 2006, the Committee heard a presentation by the Monitoring Group on its final report pursuant to paragraph 3 (i) of Security Council resolution 1676 (2006) (S/2006/913), and held a preliminary exchange of views on the contents of the report. At informal consultations on 21 November, the Committee continued its discussion of the final report and also agreed to send letters of invitation to the 12 States which, according to the report, provided support to parties in Somalia in violation of the arms embargo, to participate in a future Committee meeting and to discuss the report and its findings with the Committee and the Monitoring Group. By those letters, which were dispatched on 27 November, States were also given the option of presenting their views in writing to the Committee. On 29 November, the Chairman briefed the Security Council on the Committee's discussion, while noting that the Committee had not yet concluded its consideration of the information and recommendations contained in the report.

17. By the end of the reporting period, six States had replied to the Chairman's letter of 27 November 2006; four of them accepted the invitation to participate in a Committee meeting.

IV. Summary of the activities of the Monitoring Group

18. At the midterm briefing held on 14 February 2006, the Monitoring Group appointed pursuant to paragraph 3 of resolution 1630 (2005) reported that violations of the arms embargo continued unabated. In its report submitted to the Committee on 5 April (see S/2006/229), the Monitoring Group recommended that, to improve the effectiveness of the arms embargo, an integrated approach should be used which would include the imposition of targeted sanctions such as a travel ban and assets freeze on individuals and entities violating the embargo, and their active supporters, inside and outside Somalia.

19. On 22 May 2006, pursuant to paragraph 3 of resolution 1676 (2006), the Secretary-General reappointed the four members of the Monitoring Group (see S/2006/313). At the midterm briefing held on 6 September 2006, the members of the Monitoring Group reported on continued violations of the arms embargo. In its final report, submitted to the Committee on 16 October (see S/2006/913), the Monitoring Group proposed that a new and interrelated set of recommendations which, it stated, were intended to reduce the level of tension and offset the continuous momentum towards a military catastrophe, be implemented. The new recommendations called for (a) strengthening the arms embargo through an all-border surveillance and interdiction effort for Somalia; (b) the application of financial sanctions on significant Somali-owned and -operated business entities; and (c) a high-level, international diplomatic and political effort intended to encourage the will of States of the region to avert war and, further, to give States a reason to disengage from contributing to the military build-up in Somalia.

20. On 15 December 2006, pursuant to paragraph 3 of resolution 1724 (2006), the Secretary-General reappointed the four members of the Monitoring Group for a period of six months (see S/2006/986).

21. During the reporting period, the Monitoring Group continued to provide periodic informal reports on its activities and findings to the Committee.

V. Conclusions and observations

22. In 2006, the Committee continued its engagement in the implementation of the arms embargo on Somalia. The Committee's support for the work of the Monitoring Group and its readiness to engage in a direct dialogue with the States named in the Monitoring Group's report of 16 October 2006 (S/2006/913) attest to the Committee's firm commitment to addressing the arms embargo despite intensified fighting within Somalia in the latter part of 2006. As in the past, the Committee continues to rely on the cooperation of States and organizations for information on violations of the arms embargo.